



UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)	AWA Docket Nos. 13-0335,
)	13-0336, 13-0337, and 13-0338
Charles Schreiner, Christie Schreiner,)	
Gus Schreiner, and Walter Schreiner,)	
d/b/a Y.O. Ranch)	
)	Consent Decision and
Respondents.)	Order

This proceeding was instituted under the Animal Welfare Act, as amended (7 U.S.C. §§ 2131-2159), by a complaint filed by the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture, alleging that the respondents willfully violated the Act and the regulations issued pursuant to the Act (9 C.F.R. §§ 1.1-4.11). This decision is entered pursuant to the consent decision provisions of the Rules of Practice applicable to this proceeding (7 C.F.R. § 1.138).

The respondents admit the jurisdictional allegations in paragraph I of the complaint, and specifically admit that the Secretary has jurisdiction in this matter, neither admit nor deny the remaining allegations of the complaint, waive oral hearing and further procedure, and consent and agree, for the purpose of settling this proceeding to the entry of this decision.)

The complainant agrees to the entry of this decision.

Findings of Fact

(a) Y.O. Ranch is a general partnership operated by Charles Schreiner, Christie Schreiner, Gus Schreiner, and Walter Schreiner, hereinafter referred to as respondents, whose mailing address is 924 Jefferson Street, Kerrville, Texas 78028.

(b) The respondents, at all times material herein, were licensed and operating as a class B dealer, license number 74-B-0606, as defined in the Act and the regulations..

Conclusions

The respondents have admitted the jurisdictional allegations but do not admit any of the substantive allegations in the complaint nor, in executing this decision, do the respondents admit that any of its actions were in willful violation of the Act. The parties having agreed to the entry of this decision, such decision will be entered.

Order

1. Respondents, their agents and employees, successors and assigns, directly or through any corporate or other device, shall cease and desist from violating the Act and the regulations and standards issued thereunder, and in particular, shall cease and desist from failing to handle animals expeditiously and carefully as possible in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, and unnecessary discomfort.

2. Respondents are assessed a civil penalty of \$4,000.00 which shall be paid by certified check or money order made payable to the Treasurer of the United States immediately following the effective date of this order.

The provisions of this order shall become effective on the first day after service of this decision on the respondents.

Copies of this decision shall be served upon the parties.

Charles Schreiner
Respondent

Christie Schreiner
Respondent

Gus Schreiner
Respondent

Walter Schreiner
Respondent

Buren W. Kidd
Attorney for Complainant

Done at Washington, D.C.

this 22 day of October, 2013


Administrative Law Judge

The provisions of this order shall become effective on the first day after service of this decision on the respondents.


Copies of this decision shall be served upon the parties.

Charles Schreiner
Respondent

Christie Schreiner
Respondent



Gus Schreiner
Respondent


Walter Schreiner
Respondent


Buren W. Kidd
Attorney for Complainant

Done at Washington, D.C.


this 22 day of October, 2013




Administrative Law Judge


The provisions of this order shall become effective on the first day after service of this decision on the respondents.


Copies of this decision shall be served upon the parties.


Charles Schreiner
Respondent


Christie Schreiner
Respondent *Christie*


Gus Schreiner
Respondent

Walter Schreiner
Respondent


Buren W. Kidd
Attorney for Complainant

Done at Washington, D.C.

this 22 day of October, 2013



Administrative Law Judge

Jill S. Clifton